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6 Representing the United States of America

7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,) Case No. 2:22-cr-212-APG-VCF
9 Plaintiff,)
10 vs.)
11 CHARLES SANDERS,)
12 Defendant.)
13)

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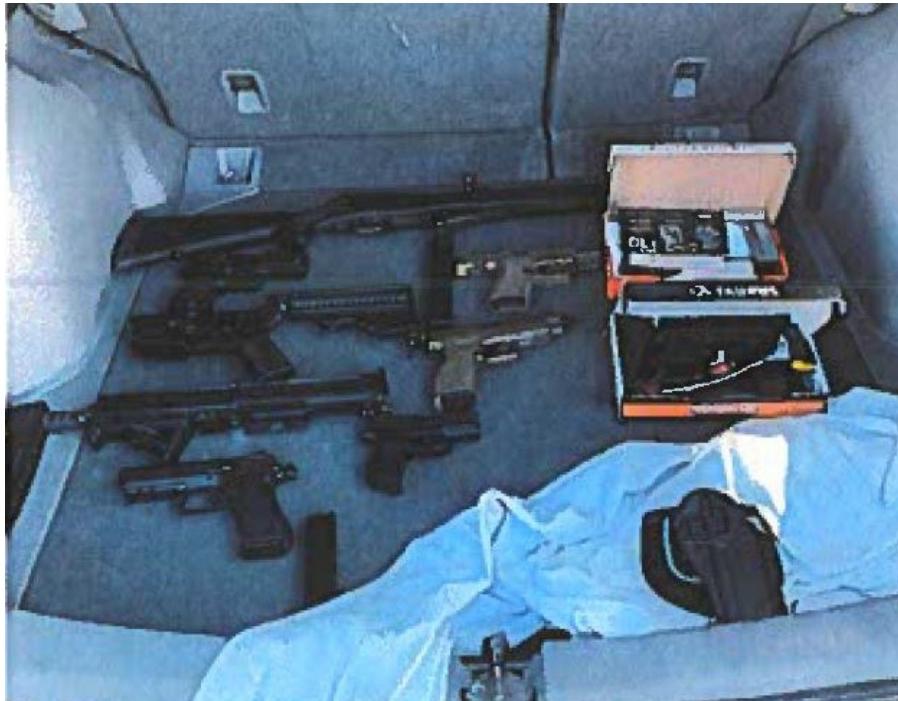
15 Certification: This memorandum is timely filed.

16 **I. Introduction**

17 In the summer of 2022, defendant Charles Sanders sold over 800 grams of
18 methamphetamine and 25 firearms—including a shotgun and three machineguns—to a
19 confidential informant. Sentencing is currently scheduled for August 16, 2023. Consistent
20 with the negotiated plea agreement, and to reflect the seriousness of the offense, provide just
21 punishment, and afford adequate deterrence, the government recommends a sentence of 96-
22 months imprisonment, followed by a four-year period of supervised release.
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II. Background and Procedural History

In July 2022, federal law enforcement agents learned that defendant Charles Sanders was illegally selling firearms in the Las Vegas valley. PSR ¶¶ 9–10. An ATF confidential informant, acting under law enforcement’s direction, contacted Sanders to purchase firearms. PSR ¶ 11. Despite learning that the confidential informant could not legally possess firearms as a convicted felon and illegal alien, Sanders agreed to sell to the confidential informant. PSR ¶ 13. Between July through September 2022, over the course of five controlled purchases, Sanders sold the confidential informant twenty-five firearms, including a shotgun and three fully automatic weapons, and 811 grams of methamphetamine. PSR ¶¶ 12–42.



Firearms Sanders sold on September 1, 2022

21 On October 12, 2022, a Federal Grand Jury returned an eight-count indictment,
22 charging Sanders with Conspiracy to Distribute a Controlled Substance, Trafficking
23 Firearms, Illegal Possession of a Machine Gun, Distribution of a Controlled Substance, and
24 Engaging in the Business and Dealing in Firearms Without a License. ECF No. 1.

1 On May 4, 2023, Sanders pleaded guilty, pursuant to a written plea agreement, to a
 2 Superseding Criminal Information, charging him with Conspiracy to Distribute a Controlled
 3 Substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B)(viii) (Count One);
 4 and Trafficking Firearms, in violation of 18 U.S.C. § 933 (Count Two). ECF No. 30.
 5 Count One carries a mandatory minimum term of five-years imprisonment followed by
 6 four-years supervised release. Under the negotiated plea agreement, the parties will jointly
 7 recommend a sentence of 96-months imprisonment. ECF No. 26 at 10.

8 **III. Guideline Calculation**

9 The presentence report correctly calculated a base offense level of 30, under U.S.S.G.
 10 §2D1.1(c)(5) and added two levels pursuant to U.S.S.G. §2D1.1(b)(1), because Sanders
 11 possessed a dangerous weapon during the drug trafficking offense. PSR ¶¶ 49–50. This is
 12 consistent with the parties' guideline calculations in the plea agreement.¹ ECF No. 26 at 8.
 13 After a three-level reduction for acceptance of responsibility, the Total Adjusted Offense Level
 14 29, combined with Sanders' Criminal History Category I, yields an advisory guideline range
 15 of 87–108 months imprisonment. PSR at 24.

16 **IV. Sentence**

17 Pursuant to the plea agreement, the government recommends that this Court sentence
 18 Sanders to 96-months imprisonment. ECF No. 26 at 10. In agreeing to recommend this
 19 sentence, the government has taken into consideration all the factors set forth in 18
 20 U.S.C. §3553(a) and concludes that a 96-month sentence is sufficient but not greater than
 21 necessary to comport with the goals of sentencing.

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 23
 24 ¹ In the plea agreement, the parties included the guideline calculations for both Counts One
 and Two. However, the government agrees with the presentence report that Counts One
 and Two should be grouped under U.S.S.G. § 3D1.2(c).

1 The goal of sentencing is to “impose a sentence sufficient but not greater than
2 necessary to reflect the seriousness of the offense, promote respect for the law, and provide
3 just punishment; to afford adequate deterrence; to protect the public; and to provide the
4 defendant with needed . . . correctional treatment.” *United States v. Carty*, 520 F.3d 984, 991
5 (9th Cir. 2008) (quoting 18 U.S.C. § 3553(a)).

6 Sanders willfully and repeatedly sold methamphetamine and dozens of firearms to a
7 confidential informant. His criminal acts not only increased the risk of drug related gun-
8 violence but shows a complete disrespect and disregard for the safety of the community.
9 Based on the seriousness of the offense, the need to provide just punishment and afford
10 adequate deterrence, and the need to protect the community from future drug and gun
11 trafficking offenses, the government respectfully requests that Sanders is sentenced to a
12 term of 96-months imprisonment.

13 In terms of supervised release, the government requests the statutory minimum 4-year
14 term of supervision with the standard and special conditions recommended by the United
15 States Probation Office. PSR at 25–26. The government submits that Sanders’ chances of
16 rehabilitation and success will be greatly improved—and any likelihood to re-offend will be
17 significantly reduced—if he remains under U.S. Probation supervision for that period of time.

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V. Conclusion

For the reasons set forth above, the government respectfully recommends that the Court sentence Sanders to 96-months imprisonment, followed by a four-year term of supervised release.

DATED this 9th day of August 2023.

Respectfully submitted,

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/s/ Kimberly Sokolich
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